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RUEHLO/AMEMBASSY LONDON 5061
RUEHNE/AMEMBASSY NEW DELHI 3187
RUEHNY/AMEMBASSY OSLO 5019
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RUEHSM/AMEMBASSY STOCKHOLM 0559
RUEHKO/AMEMBASSY TOKYO 4126
RUEHCG/AMCONSUL CHENNAI 9407
RUEHBI/AMCONSUL MUMBAI 6709
RUEHON/AMCONSUL TORONTO 1224
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SIPDIS

DEPARTMENT FOR SCA/INSB
USAID/DCHA

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TAGS: [PGOV](#) [PREL](#) [PREF](#) [PHUM](#) [PTER](#) [EAID](#) [MOPS](#) [CE](#)

SUBJECT: SRI LANKA: ICRC'S FUTURE UNCERTAIN

Classified By: A/DCM REBECCA W. COHN. REASONS: 1.4 (B, D)

¶1. (C) Summary. A/DCM and Poloff met with ICRC Acting Head of Delegation Anthony Dalziel on July 21 to discuss ICRC's current and future status in Sri Lanka. On July 1, ICRC received a letter from Defense Secretary Gothabaya Rajapaksa requesting ICRC to terminate its operations in the East. According to an ICRC press release, their four offices in the East were closed July 17. At the same time, Dalziel said ICRC is currently in negotiations with the GSL regarding whether or not ICRC will retain its diplomatic status and to reach agreement on which of their current mandates they will be able to carry out. If negotiations with the GSL are not successful, ICRC may withdraw its presence as they did in Myanmar and Eritrea. According to the GSL, ICRC's presence and foreign travel advisories are not contributing to a sense of normalcy in the East. With this as a pretense, the GSL's actions may risk losing a valuable partner in the resettlement and rehabilitation process. End Summary.

ICRC Asked to Quit East, Renegotiate
Diplomatic Status and Programs

¶2. (C) A/DCM and Poloff met with ICRC Acting Head of Delegation Anthony Dalziel on July 21 to discuss ICRC's status in Sri Lanka following the directive from the GSL to pull out of the East. Dalziel told Emboffs that on July 1 ICRC received a letter from Defense Secretary Gothabaya Rajapaksa that thanked ICRC for its help during the war and noted that ICRC now has "much less to do" in Sri Lanka. The letter requested that ICRC terminate its operations in the East. ICRC Head of Mission Paul Castella met with Gothabaya on July 2 and was told that the GSL wants the outside world to view Sri Lanka as a place that does not have serious problems. Gothabaya said ICRC's current presence impedes that image, and he asked that ICRC recognize the end of the conflict and close operations in the East. Castella also met with Minister for Disaster Management and Human Rights Mahinda Samarasinghe, Foreign Minister Rohitha Bogollagama and Foreign Secretary Palitha

Kohona, who echoed this message. Dalziel said ICRC has been told it must reaffirm its activities and status in Memoranda of Understanding (MOU) with each of the relevant line ministries, via the MFA. Dalziel noted that ICRC was willing to sign MOUs but being allowed to retain their current modalities of operation would be of critical importance to ICRC.

13. (C) Currently, ICRC has diplomatic status in Sri Lanka per a Headquarters Status Agreement signed in 1996. According to Dalziel, this provides diplomatic immunities and a diplomatic pouch as well as prevents search and seizures on their premises. Dalziel noted that the Foreign Ministry is not keen on ICRC, but that discussions are still ongoing.

14. (C) Dalziel commented that the GSL is clearly trying to control independent humanitarian action in Sri Lanka. He observed that the GSL's recent actions are similar to what countries like Burma and Eritrea have done in the past, leading ICRC to pull out of those countries. He said there is a very delicate balance for ICRC to walk in a situation like this. Dalziel said Castella plans to discuss the issue further with A/S Shwartz during his visit and may request at some point for the US to advocate for ICRC.

15. (C) Dalziel said he is unsure exactly why the GSL is unhappy with the ICRC. He said ICRC has very good relationships with the working-level people in the military

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and with the police. It is just at the pinnacle of leadership that the problem lies, he said. He mentioned that the Secretary of Defense sent a fax to its field commanders stating that they need to request his permission before security forces can interact with ICRC.

Starting to Scale Back

16. (C) Dalziel said ICRC recognizes it needs to scale down its activities and staffing since they are no longer managing or accompanying convoys, transferring bodies, or manning Omanthai checkpoint. He noted their work in a number of areas but especially work on behalf of the IDPs in the closed camps and on IDP returns. ICRC has a specific agreement with the GSL regarding their work with those detained under the emergency regulations. The international staff is being downsized for a number of reasons, he said, including the closure of the East and usual rotations. A couple of weeks ago they had about 76 delegates and now they are down to 59. He said they have 6 positions currently open, and by August they will have 20. They anticipate difficulty getting visas to fill these positions.

No Presence in the East

17. (C) With its offices in the East now closed, ICRC is concerned about ongoing livelihood projects and how they can be completed. Dalziel said ICRC will not be able to track disappearances without a presence in the East; it would have to be done by the police or Human Rights Commission offices.

Status for Operating in the North in Flux

18. (C) Dalziel said ICRC's ability to operate in the North is uncertain because of the recent changes in military leadership. Former Competent Authority and Northern Governor Chandrasiri disliked ICRC and restricted its activities, and now it is unclear who will be making decisions as a new Competent Authority has not been named. ICRC has had very few problems in Jaffna recently, he said, but a new commander is arriving there next week and things may change. He said the biggest issue for humanitarian operations in the North is the lack of a clear plan for

resettlement.

19. (C) COMMENT: While the ICRC recognizes that the scale and nature of their operations needs to shift emphasis with the end of the conflict, they also have their bottom lines. On the pretext of a return to normalcy, the GSL is placing limits on the independence and scope of ICRC operations. Depending on how the negotiations proceed with the GSL regarding its diplomatic status and ability to fulfill its mandates, these could be dealbreakers for ICRC to continue operating in Sri Lanka. Post will continue to follow developments on this issue and seek ways to encourage the GSL to allow ICRC to continue its important work.

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